

**AN ORDINANCE TO AMEND PART II OF ORDINANCES, CHAPTER 10, ARTICLE II SECTION 10.92 SO AS TO CREATE AN EXEMPTION TO THE DISTANCE REQUIREMENTS IN SECTION 10.88 IN A CERTAIN AREA AND FOR OTHER PURPOSES.**

**00-0 -1564**

**WHEREAS**, for a number of years, an AAMCO Service Station existed at 2372 Glenwood Avenue, SE, Atlanta, Fulton County, Georgia;

**WHEREAS**, the AAMCO Service Station, in addition to providing gasoline services to the public, engaged in the retail sale of packaged malt and vinous beverages, pursuant to and in compliance with its duly issued license;

**WHEREAS**, the AAMCO Service Station derived less than five percent (5%) of its revenue from the sale of malt and vinous beverages;

**WHEREAS**, the AAMCO Service Station location was developed on properties leased from the Cousins Foundation;

**WHEREAS**, the Cousins Foundation has undertaken extensive development initiatives in the East Lake area;

**WHEREAS**, as a part of these initiatives, the Cousins Foundation decided to redevelop the AAMCO site as a part of its golf course complex;

**WHEREAS**, the subject property owner proposes to develop a new state-of-the-art facility with services and a gasoline station located at 2371 Glenwood Avenue, SE, Atlanta, Fulton within the proposed distance defined below;

**WHEREAS**, this development will be of economic and esthetic benefit to the area;

**NOW THEREFORE BE IT ORDAINED** by the Atlanta City Council as follows:

Section 1. That § 10.92 (b) which reads as follows:

- b. This section shall not apply to applicants for licenses for adult entertainment establishments.

be deleted in its entirety and replaced with the following language:

- b. Any applicant for a license for the package sale of malt beverages or wine within the following area shall not be required to comply with the distance requirements set forth in section 10-88:

That parcel of land known as 2371 Glenwood Avenue, SE, Atlanta, Georgia under the numbering system of the City of Atlanta, more particularly described as follows: Beginning at the southern end of the miter of the intersection of the eastern right of way line of Second Avenue and the southern right of way line of Glenwood Avenue, said point being the point of beginning; run thence along the mitered right of way line in a northeastern direction a distance of approximately 30 feet to a point located on the southern right of way line of Glenwood Avenue; run thence along the southern right of way line of Glenwood Avenue in an eastern direction approximately 109 feet to a point; run thence in a southern direction approximately 189 feet to a point; run thence in a western direction approximately 129 feet to a point along the eastern right of way line of Second Avenue; run thence in a northern direction along the eastern right of way line of Second Avenue approximately 165 feet to the point of beginning.

Section 2. That § 10.92 be amended to add subparagraph (c) as follows:

- c. This section shall not apply to applicants for licenses for adult entertainment establishments.

Section 3. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4. In the event that any section, subsection, sentence, clause or phrase of this ordinance shall be declared or adjudged invalid or unconstitutional, such adjudication shall in no manner affect other sections, subsections, sentences, clauses or phrases of this ordinance, which shall remain in full force and effect as if the section, subsection, sentence, clause or phrase so declared invalid or unconstitutional were not originally a part thereof.

R.M. 181

OLD LOCATION  
NEW LOCATION

SECOND

New Location →

← Old Location

Golf Course

GLENWOOD

BELL

AV.

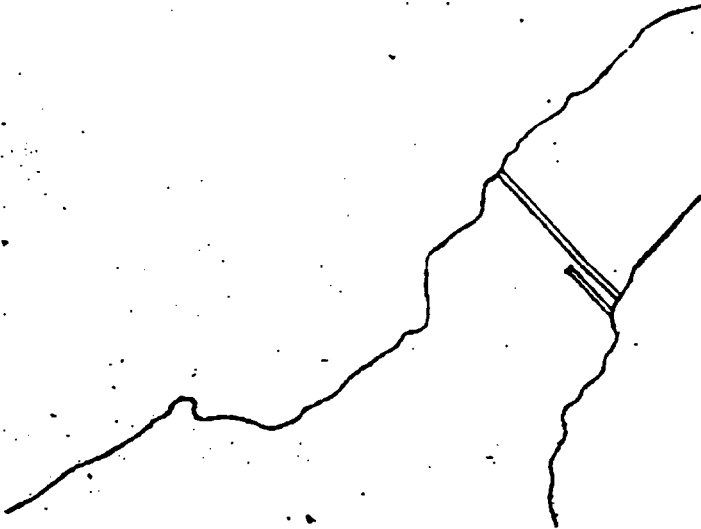
CARTER

AV.

L.L. 172

JONASSEN

AV.



#6

00-0-1564

(Do Not Write Above This Line)

An Ordinance by Councilmember Sherry Dorsey:

To amend Part II of ordinances, Chapter 10, Article II, Section 10.92 so as to create an exemption to the distance requirements in Section 10.88 in a certain area and for other purposes.

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☒ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 9/18/00  
Referred To: zoning  
Date Referred  
Referred To:  
Date Referred  
Referred To:

Committee \_\_\_\_\_  
Date \_\_\_\_\_  
Chair \_\_\_\_\_  
Referred to \_\_\_\_\_

First Reading

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

CERTIFIED

FINAL COUNCIL ACTION

- ☐ 2nd ☐ 1st & 2nd ☐ 3rd
- Readings
- ☐ Consent ☐ V Vote ☐ RC Vote

MAYOR'S ACTION